

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. NO.: 4222-01  
BILL NO.: HB 1883  
SUBJECT: Attorney General: Cemeteries, Local Government  
TYPE: Original  
DATE: February 21, 2000

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**FISCAL SUMMARY**

ESTIMATED NET EFFECT ON STATE FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2001	FY 2002	FY 2003
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.

This fiscal note contains 3 pages.

ASSUMPTION

**City of Mexico** officials assumes these would be no significant impact.

In response to almost identical legislation, (fiscal note #4102-01, SB 915), the following fiscal impact statements were issued:

**Department of Natural Resources** officials stated that they are not considered a city, town or village and would not have to take ownership of abandoned cemeteries.

Officials stated that DNR currently owns three cemeteries, which are designated as historic sites and some of the parks and historic sites do have cemeteries within their boundaries. These cemeteries are maintained by the Division of State Parks and are not considered abandoned, therefore, this proposal would have no fiscal impact for the DNR.

**Department of Economic Development - Professional Registration** officials assume no fiscal impact.

The **Office of Attorney General** assumes no fiscal impact.

**Oversight** assumes that cities or counties would have no fiscal impact.

**City of St. Joseph** officials assume no fiscal impact.

The **Boone County Clerk** assumes this proposal is permissive, and would have no fiscal impact.

**City of Hannibal** officials assume no fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0

<u>FISCAL IMPACT - Local Government</u>	FY 2001 (10 Mo.)	FY 2002	FY 2003
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

No direct fiscal impact to small business would be expected as a result of this proposal.

**DESCRIPTION**

Under current law, if a cemetery has been abandoned, the Attorney General is required to take action to dissolve the cemetery ownership and transfer title to the county or municipality in which the cemetery is located. This bill allows the transfer of the cemetery and cemetery funds, upon approval by the county or municipality, to a Missouri not-for-profit corporation or religious or charitable organization that is unrelated to the previous owner. Any encumbrances existing against the title of the cemetery are extinguished upon transfer of the cemetery. The corporation or organization must care for and maintain the cemetery with the money and property of the dissolved entity. If the corporation or organization plans to sell, grant, transfer, or convey future rights of internment within the cemetery, it must elect to operate as an endowed care cemetery under current state law.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

**SOURCES OF INFORMATION**

Office of Attorney General  
Department of Economic Development - Professional Registration  
Department of Natural Resources  
City of St. Joseph  
Boone County Clerk  
City of Hannibal  
City of Mexico

**NOT RESPONDING**

Cities of: St. Louis, Kansas City, Ste. Genevieve, Springfield, Fulton, Mexico, Hermann and Rolla; and the Counties of: Callaway, Warren, Gasconade, Buchanan, Marion, New Madrid, Greene, and Jasper.



Jeanne Jarrett, CPA  
Director  
February 21, 2000